# OPINIONS RENDERED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2 (pp. 67-80)

## **OPINION 142**

Suspension of the Rules for *Satyrus* Latreille, 1810 (Insecta, Lepidoptera)

#### LONDON:

Printed by Order of the International Commission on Zoological Nomenclature Sold at the Publications Office of the Commission 41, Queen's Gate, London, S.W.7

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\* This vacancy was caused by the death on 23rd May, 1939, of Dr. Witmer STONE (U.S.A.).

† This vacancy was caused by the death on 24th January, 1941, of Dr. Charles Wardell STILES (U.S.A.), Vice-President of the Commission and former Secretary to the Commission (1897-1935).



### OPINION 142.

SUSPENSION OF THE RULES FOR SATYRUS LATREILLE, 1810 (INSECTA, LEPIDOPTERA).

SUMMARY.—Under Suspension of the Rules *Papilio actaea* Esper, [1780], is hereby designated as the type of *Satyrus* Latreille, 1810 (Insecta, Lepidoptera) and that genus, so defined, is hereby added to the Official List of Generic Names in Zoology.

#### I.—THE STATEMENT OF THE CASE.

This case was submitted to the International Commission in a letter dated 24th October 1934, in which Commissioner Francis Hemming and Mr. N. D. Riley, Keeper of the Department of Entomology, British Museum (Natural History), acting on behalf also of Mr. W. H. T. Tams, Assistant Keeper, Department of Entomology, British Museum (Natural History), jointly invited the Commission to render Opinions in regard to this, and certain other, generic names in the Lepidoptera. The passage in that letter relating to the name *Satyrus* Latreille reads as follows:—

- (c) Finally, jointly with our colleague Mr. Tams, who is concerned from the point of view of the Heterocera, we ask the International Commission to issue an Opinion declaring against the validity of Retzius, Gen. Spec. Ins. Geer published in 1783. In this connection we ask also for a complementary Opinion to add the name Satyrus Latreille, 1810, to the Official List of Generic Names. For a statement of reasons for making these recommendations, see Hemming, 1934, Gen. Names hol. Butt. 1: 35-40.
- 2. In a further letter dated 1st December 1934, Commissioner Hemming explained that he had prepared for the consideration of the Commission a condensed statement of the grounds on which the proposed action was sought, partly because the statement so prepared was in a much more convenient form than the note on the genus Satyrus contained in the work referred to above and partly because he was anxious that the consideration of the case of that genus should not become involved in the controversy relating to the meaning of the term "binary nomenclature", a risk which he thought might otherwise arise. The condensed statement so submitted by Commissioner Hemming reads as follows:—

Case of the generic name Satyrus Latreille, 1810.

The following is a condensed statement of the grounds on which I request the International Commission on Zoological Nomenclature to render an Opinion on the case of the name Satyrus Latreille, 1810, and the nature of the Opinion desired:

(a) From the five species given by Latreille in 1810 (Consid. gén. Anim. Crust. Arach. Ins.: 355, 440) for the then new genus Satyrus Latreille, the first to be selected as the type of that genus under Article 30 (II) (g) of the International Code was Papilio galathea Linnaeus, 1758, that species having been so designated by Scudder in 1875 (Proc. Amer. Acad. Arts Sci., Boston 10: 265, 266).

(b) There are two common palaearctic species of Satyridae, namely Papilio megera Linnaeus, 1767, and Papilio maera Linnaeus, 1758, to which has been applied the French vernacular name "le Satyre". Both these species have been referred almost invariably for over 100 years to the genus Pararge Hübner, [1819], of which the congeneric

species Papilio aegeria Linnaeus, 1758, is the type.

(c) Crotch claimed (1872, Cistula ent. 1:62) that Papilio megera Linnaeus, 1767, was the type of the genus Satyrus Latreille on the ground that "this is the species commonly called 'le Satyre' and bence evidently the true type of the genus."

hence evidently the true type of the genus

(d) Crotch's conclusion was not adopted by lepidopterists either then or subsequently. Similarly Scudder's selection of Papilio galathea Linnaeus as the type of this genus was completely ignored, that species continuing for many years to be referred to the genus Melan-

argia Meigen, 1828, of which it is the type.
(e) Both in the time of Crotch and Scudder and almost universally ever since, Lepidopterists have treated Satyrus Latreille as though its type were one of the large palaearctic "Browns", of which the British "Grayling" (Papilio semele Linnaeus, 1758) is a familiar

example.

(f) Quite recently Higgins (1934, Ent. Rec. 46:44) has claimed that Papilio maera Linnaeus is the type of Satyrus Latreille by absolute tautonymy under Article 30 (I) (d) of the International Code, the argument brought forward in support of this contention being that one of the synonyms of Papilio maera Linnaeus is Papilio satyrus Retzius, 1783.

(g) The argument in (f) above is valid only:-

(i) if it can properly be accepted that Papilio maera Linnaeus is one of the species originally included by Latreille in the genus Satyrus; and

(ii) if Retzius, 1783, Gen. Spec. Ins. Geer, is a work that can properly

be accepted for nomenclatorial purposes.

(h) Until the issue of Opinion 11 by the International Commission on Zoological Nomenclature it would have been possible to argue that the species cited by Latreille in 1810 for the genera there indicated were no more than examples of the species that belonged to the respective genera, notwithstanding the fact that he spoke of them in relation to those genera as "l'espèce qui leur sert de type". On this basis it would have been possible to argue that Papilio maera Linnaeus was one of the species covered by Latreille's diagnosis for the genus Satyrus and was one of the species included by him in that genus although he did not cite it by name. Since the issue of Opinion II, which lays it down that the species cited by Latreille in 1810 are to be taken as the types of the genera in question and not as mere examples of typical species referable to those genera, this view (whatever its former merits) seems no longer tenable.

(i) Whatever may be the correct interpretation of the term "binary nomenclature" and therefore the status of genera first published in Retzius, 1783, Gen. Spec. Ins. Geer, it cannot possibly be claimed that this work of Retzius's is a binominal work, in spite of the fact that in the case of his Papilio satyrus (as contrasted with many other names used in the same work) Retzius used a binominal combination. If therefore—as seems to me clearly to be the case—new specific names (even when apparently binominal) published by Retzius in 1783 must be rejected under Article 25 (b) of the Code, no argument regarding the type of Satyrus Latreille can be validly based upon the use by Retzius on this occasion of the words Papilio satyrus to describe the species previously named *Papilio maera* by Linnaeus.

(j) For the reasons given in (h) and (i) above it appears to me to be

perfectly clear that there is no substance in the claim that the type of Satyrus Latreille is Papilio maera Linnaeus by absolute tautonymy. It follows from this that Scudder's selection of Papilio galathea Linnaeus as the type (see (a) above) is perfectly valid under the Code.

(k) It is extremely important, however, that in the case of an important genus such as the present which is the type genus of a very well-known family (Satyridae) there should be no room of any kind for argument as to the type of the genus. In order therefore to settle this matter once and for all, I consider that it is very desirable that the International Commission should render an Opinion definitely

fixing the type of this genus.
(I) The proposal which, jointly with Mr. N. D. Riley and Mr. W. H. T. Tams, I have submitted to the International Commission is that they should render Opinions, if necessary under Suspension of the Rules, (a) declaring that *Papilio galathea* Linnaeus, 1758, is the type of *Satyrus* Latreille, 1810, and putting that genus, so defined, on the Official List of Generic Names, and (b) declaring that specific names first published by Retzius in 1783 (*Gen. Spec. Ins. Geer*) have no status in nomenclature, since in that work Retzius did not use the binominal system of nomenclature.

# II.—THE SUBSEQUENT HISTORY OF THE CASE.

3. This case, as presented to the Commission, involved two entirely distinct problems, namely (a) what is the type of the genus Satyrus Latreille, 1810, under the Code, and (b) should Retzius, 1783, Gen. Spec. Ins. Geer, be accepted for the purposes of Article 25 (b) of the Code as the work of an author who had applied the principles of binary nomenclature. The first of these problems was of interest only to specialists in the Lepidoptera; the second raised much wider issues since it involved not only the status of Retzius, 1783, but also the meaning to be attached to the term "binary nomenclature" as used in the International Code. At the time that the present case was submitted to the Commission, this latter problem was one of especial difficulty since at their meeting held at Padua in 1930 the Eleventh International Congress of Zoology had passed a resolution on this subject which was awaiting consideration by the Permanent Committee of the International Zoological Congresses when that body should next meet at the Twelfth International Congress of Zoology at Lisbon in the following year (1935). In these circumstances the International Commission decided as a first step to invite the International Committee on Entomological Nomenclature to consider and report upon the purely entomological aspects of the present application, while reserving for later consideration the portion of the application which involved the interpretation of the term "binary nomenclature".

4. This case was accordingly considered by the International Committee on Entomological Nomenclature at their meeting held at Madrid in the second week of September 1935 during the Sixth International Congress of Entomology. In the course of the preliminary discussion of this case it became apparent that there was a strong feeling not only among Lepidopterists on both sides of the Atlantic but also generally among the members of the International Committee that in the case of an extremely wellknown name (such as Satyrus Latreille) that had been the type genus of a family for over a hundred years it was essential that the type of that genus should be a species belonging to the group which for so many years had universally been referred to that genus. Any other course, it was felt, would clearly result in greater confusion than uniformity. At this point, Commissioner Hemming, who was present at the discussion as a member of the International Committee, indicated that the proposal which Messrs. Riley, Tams and he had submitted to the International Commission on Zoological Nomenclature in the case of Satyrus Latreille had been designed solely with the object of securing a binding decision on the disputed question of the species which under the Code should be accepted as having been validly designated as the type of that genus. He and his colleagues had always recognised that, unless the rules were suspended, there would be no possibility of securing as the type of this important genus a species belonging to the group that had for so long universally been accepted as belonging to the genus Satyrus Latreille. In view of the feeling that had been expressed in the International Committee in favour of a more radical solution, he would very gladly prepare an amended petition in substitution for that submitted to the International Commission on Zoological Nomenclature in 1934. Before doing so, he would wish to consult with Messrs. Riley and Tams (who had acted jointly with him in submitting the original proposal to the International Commission) and with other lepidopterists then present in Madrid for the

73 meeting of the Sixth International Congress of Entomology.

The International Committee approved this proposal and invited Commissioner Hemming to prepare a revised

accordingly.

5. The following is the text of the revised proposals for dealing with this case prepared by Commissioner Hemming during the Madrid meeting for the consideration of the International Committee on Entomological Nomenclature:—

#### THE CASE OF SATYRUS LATREILLE, 1810.

Revised proposals submitted by Mr. Francis Hemming to the International Committee on Entomological Nomenclature at their meeting held at Madrid in September 1935.

(1) In accordance with the request of the International Committee on Entomological Nomenclature, I submit herewith for their consideration the following revised proposals for dealing with the case of Satyrus Latreille, 1810. These proposals are in substitution for the more limited proposals on this subject submitted to the International Commission on Zoological Nomenclature by Mr. N. D. Riley, Mr. W. H. T. Tams and myself in 1934.

(2) The relevant considerations in this case are the following:—

(a) When founding the genus Satyrus (1810, Consid. gén. Ānim. Crust. Ins.: 355, 440), Latreille included five species in the genus but specified no type.

(b) Of Latreille's originally included species, three are not today regarded as belonging to the Satyridae. These species are:—

(i) Papilio teucer Linnaeus, 1758, is referred to the genus Caligo Fabricius, 1807, in the Brassolidae.

(ii) Papilio phidippus Linnaeus, 1763, is the type of Amathusia Fabricius, 1807, the type genus of the family Amathusidae. (iii) Papilio sophorae Linnaeus, 1758, is the type of Brassolis Fabricius, 1807, the type genus of the family Brassolidae.

(c) Of the two remaining species originally placed in the genus Satyrus by Latreille, Papilio piera Linnaeus, 1758, is the type of the Neotropical genus Haetera Fabricius, 1807, and Papilio galathea Linnaeus, 1758, is the type of the Palaearctic genus Agapetes Billberg, 1820 (and of the more commonly used Melanargia Meigen, 1828).

(d) The two first type designations for Satyrus Latreille are invalid under the Code, since in each case the species so designated is not one of the species originally included in the genus by Latreille. The species in

(i) Papilio constantia Cramer, [1777], designated by Butler, 1867

(Entomologist 3: 279); and
(ii) Papilio actaea Esper, [1780], designated by Butler in 1868 (Ent. mon. Mag. 4: 194).

(e) In 1872 (Cistula ent. 1:62) Crotch designated Papilio megera Linnaeus, 1767, as the type of this genus on the ground that "this is the species commonly called 'le Satyre' and hence evidently the true type of the genus". This designation is invalid, since Papilio megera Linnaeus is not one of Latreille's originally included species.

(f) The first of Latreille's originally included species to be designated as the type of this genus was Papilio galathea Linnaeus, 1758, which was so designated by Scudder in 1875 (Proc. Amer. Acad. Arts Sci.,

Boston 10: 265, 266).

(3) No well-known generic name would be displaced by accepting Papilio galathea Linnaeus as the type of Satyrus Latreille, but that course is open to very strong objection, since the transfer so involved would disturb the to very strong objection, since the transfer so involved would disturb the universally accepted practice of over 100 years by removing Satyrus Latreille from the great group of species of which Papilio semele Linnaeus, 1758 (the British "Grayling") is a representative example. For lists of the species normally placed in the genus Satyrus Latreille, see Staudinger (1901, in Staudinger & Rebel, Cat. Lepid. pal. Faunengeb. 1: 53-59) and Seitz ([1908], Grossschmett. Erde 1: 121-132).

(4) The only other species now accepted as belonging to the Satyridae that was placed in the genus Satyrus by Latreille is (as shown in paragraph).

that was placed in the genus Satyrus by Latreille is (as shown in paragraph (2) (c) above) Papilio piera Linnaeus, 1758. Quite apart from the fact that this species is the type of the well-known genus Haetera Fabricius, 1807, an older name than Satyrus Latreille, the selection of that species as the type of Satyrus Latreille would be far more objectionable than the selection of Papilio galathea Linnaeus, since it would involve a still greater

change in the meaning to be applied to that genus.

(5) If therefore Satyrus Latreille is to be preserved in its commonly accepted sense, it will be necessary for the International Commission by using its plenary powers to fix as the type of this genus under suspension of the rules a species that was not included in it by Latreille. I recognise that this is a drastic step but nevertheless it is the one which I recommend should be adopted, since any other course would clearly result in greater confusion than uniformity. As regards the species so to be designated as the type of Satyrus Latreille, I recommend that this should be Papilio actaea Esper, [1780], since (a) that species is a good example of the group of species that have for so long been placed in this genus and (b) it was selected (though erroneously under the present Code) as the type of this

genus by Butler as long ago as 1868.

(6) I have discussed this problem with Mr. Riley, Mr. Tams and other lepidopterists now present in Madrid and with Professor James Chester Bradley who is in possession of the views on this subject of representative lepidopterists in the United States. All whom I have consulted are in

agreement with the recommendation set out above.

6. On further consideration of this case, the International Committee on Entomological Nomenclature agreed to recommend the International Commission on Zoological Nomenclature under suspension of the rules to fix Papilio actaea Esper as the type of Satyrus Latreille for the reasons set out in the statement given in the preceding paragraph. At the same time, the International Committee agreed that the need for a final settlement of the type of this genus was so great that, if the International Commission were to take the view that this was too drastic a course to adopt, it was desirable that they should give further consideration to the more limited proposals already before them on this subject. This, and other, recommendations adopted by the International Committee on Entomological Nomenclature at their Madrid meeting were confirmed by the Sixth International Congress of Entomology at the Concilium Plenum held on 12th September 1935.

# III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

- 7. When the International Commission on Zoological Nomenclature met at Lisbon immediately after the close of the Sixth International Congress of Entomology in September 1935, they found themselves confronted with a large number of cases involving proposals for the suspension of the rules, in respect of some of which advertisements had not been published or, if published, had not been published for the prescribed period, owing to the illness of Dr. Stiles, Secretary to the Commission, or for other causes. In these circumstances the Commission decided at their meeting held on the morning of Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 9) that immediate consideration should be given to all cases submitted to the Commission that, in their judgment, had reached the stage at which a decision could properly be taken and that, in so far as this involved taking decisions "under suspension of the rules" in cases where the prescribed advertisement procedure had not been complied with, the cases in question should be duly advertised as soon as might be practicable after the conclusion of the Lisbon Congress and that no Opinion should be rendered and published thereon until after the expiry of a period of one year from the date on which the said advertisement was despatched to the prescribed journals for publication. The case of the genus Satyrus Latreille was one of the cases in question and was accordingly dealt with by the Commission at Lisbon under the above procedure.
- 8. This case was considered by the International Commission at their meeting held on Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 22), when the Commission agreed \*:—
  - (a) to suspend the rules in the case of the following generic names:—
    - (ii) Satyrus Latreille, 1810, Consid. gén. Anim. Crust. Arach. Ins.: 355, 440;
  - (c) to declare that the type of Satyrus Latreille, 1810, is Papilio actaea Esper, [1780], Die Schmett. 1 (Bd. 2) Forts. Tagschmett.: 37;

<sup>\*</sup> Only those portions of Conclusion 22 which relate to the present case are here quoted.

- (i) to add the generic names . . . Satyrus Latreille, 1810, . . . to the Official List of Generic Names, with the type[s] indicated above;
- (k) to take note that in view of the decision set out in (a), (c), and (i) above, the request for an Opinion rejecting specific names first published in Retzius, 1783, Caroli Degeer genera et species Insectorum et generalissimi auctoris scriptis extraxit, digessit, latine quoad partem reddidit, et terminologiam Insectorum Linneanum addidit A. I. Retzius submitted to the Commission in 1934 had been withdrawn by the petitioners;
- (l) to render Opinions in the sense of (a) to (k) above.
- 9. The foregoing decisions in regard to the name Satyrus Latreille were embodied in paragraph 28 of the Report which at their meeting held on the morning of Wednesday, 18th September 1935, the Commission (Lisbon Session, 5th Meeting, Conclusion 6) unanimously agreed to submit to the Twelfth International Congress of Zoology. This report was unanimously approved by the Section on Nomenclature at its joint meeting with the International Commission held on the afternoon of the same day. It was thereupon submitted to the Twelfth International Congress of Zoology by which it was unanimously adopted at the Concilium Plenum of the Congress held on the afternoon of Saturday, 21st September 1935, the last day of the Congress.
- 10. In accordance with the decision taken by the Commission at Lisbon in regard to their procedure at that Session (paragraph 7 above), this case was duly advertised in 1936 in two or more of the journals named in the Resolution adopted by the Ninth International Congress of Zoology held at Monaco in March 1913, by which the said International Congress conferred upon the International Commission on Zoological Nomenclature plenary power to suspend the rules as applied to any given case where in the judgment of the Commission the strict application of the rules would clearly result in greater confusion than uniformity. In the period that has elapsed since the advertisement in the said journals of the proposed suspension of the rules in the present case, no communication of any kind has been addressed to the International Commission objecting to the issue of an Opinion in the terms proposed.

- II. The Opinion as set out in paragraph 8 above was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon meeting of the International Commission, namely:—
- Commissioners:—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.
- Alternates:—do Amaral vice Cabrera; Ohshima vice Esaki; Bradley vice Stone; Beier vice Handlirsch; Arndt vice Richter; and Mortensen vice Apstein.
- 12. The present Opinion was dissented from by no Commissioner or Alternate present at the Lisbon Meeting. Nor since that Meeting has any Commissioner who was neither present on that occasion nor represented thereat by an Alternate indicated disagreement with the conclusions then reached by the Commission in this matter. The following five (5) Commissioners who were not present at Lisbon nor represented thereat by Alternates did not vote on the above Opinion:—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

# IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT OPINION.

Whereas the Ninth International Congress of Zoology at its Meeting held at Monaco in March 1913, adopted a Resolution conferring upon the International Commission on Zoological Nomenclature, acting for the International Congress of Zoology, Plenary Power to suspend the Rules as applied to any given case, where, in the judgment of the Commission, the strict application of the said Rules would clearly result in greater confusion than uniformity, provided that not less than one year's notice of the possible Suspension of the Rules as applied to the said case should be given in two or more of five journals named in the said Resolution, and provided that the vote in the Commission was unanimously in favour of the proposed Suspension of the Rules; and

Whereas the Suspension of the Rules is required to give valid

force to the provisions of the present Opinion; and

Whereas not less than one year's notice of the possible Suspension of the Rules as applied to the present case has been given to two or more of the journals referred to in the Resolution adopted by the Ninth International Congress of Zoology at its Meeting held in Monaco in March 1913; and

Whereas the vote in the Commission at their Lisbon Meeting was unanimously in favour of the issue of an Opinion in the terms of the present Opinion;

Now, THEREFORE,

I, Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me by reason of holding the said Office of Secretary to the International Commission, hereby announce the said Opinion on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as Opinion One Hundred and Forty Two (Opinion 142) of the said Commission.

In faith whereof, I, Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, have

signed the present Opinion.

Done in London, this twelfth day of January, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

Secretary to the International Commission on Zoological Nomenclature.

FRANCIS HEMMING

#### NOTICES.

The undermentioned publications of the International Commission on Zoological Nomenclature are obtainable at the Publications Office of the Commission, 41, Queen's Gate, London, S.W. 7:—

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OPINION 134.	On the method to be adopted in interpreting the generic names assigned by Freyer to species described in his <i>Neuere Beiträge zur</i>	price 8d.
OPINION 135.	Schmetterlingskunde, 1833–1858.  The suppression of the so-called "Erlangen List" of 1801.	price 8d.
Opinion 136.	Opinion supplementary to Opinion 11 on the interpretation of Latreille's Considérations générales sur l'ordre naturel des animaux composant les classes des Crustacés, des Arachnides et des Insectes avec un	price ou.
	tableau méthodique de leurs genres disposés en familles, Paris, 1810	price 1s. od.
OPINION 137.	On the relative precedence to be accorded to certain generic names published in 1807 by Fabricius and Hübner respec- tively for identical genera in the Lepido-	
	ptera Rhopalocera	price 1s. 6d.
OPINION 138.	On the method by which the amendment to Article 25 of the International Code adopted by the Budapest Meeting of the International Zoological Congress, relating to the replacement of invalid	
OPINION 139.	names, should be interpreted The names <i>Cephus</i> Latreille, [1802–1803], and <i>Astata</i> Latreille, 1796, in the Hymenoptera added to the Official List of Generic	price 1s. 6d.
OPINION 140.	Names	price 2s. 6d.
	for Merops Linnaeus, 1758 (Aves) and Merope Newman, 1838 (Insecta)	price 2s. 6d.
OPINION 141.	On the principles to be observed in interpret- ing Article 4 of the International Code re- lating to the naming of families and sub-	
OPINION 142.	families	price 2s. 6d.

Note:—Opinions One to One Hundred and Thirty-Three (Opinions I-133) rendered by the International Commission on Zoological Nomenclature were not published by the Commission itself owing to lack of funds. Through the intermediary of the late Dr. C. W. Stiles, at that time Secretary to the International Commission, the Smithsonian Institution very kindly came to the aid of the Commission and agreed to publish the Opinions in the Smithsonian Miscellaneous Collections. Unfortunately, all except a few of the later of the above Opinions are now out of print, and are therefore not obtainable by working zoologists. In order to remedy the serious position so created, it is proposed, as soon as funds are available, to reprint Opinions 1 to 133 as Volume 1 of Opinions rendered by the International Commission on Zoological Nomenclature.

price 2s. 6d.

1810 (Insecta, Lepidoptera).

PRINTED IN GREAT BRITAIN BY RICHARD CLAY AND COMPANY, LTD., BUNGAY, SUFFOLK.